

27 MAY 1969

Mr. James F. C. Hyde
Office of Assistant Director
for Legislative Reference
Bureau of the Budget
Washington, D. C. 20503

Dear Mr. Hyde:

This is in response to your request of 22 May 1969 for written confirmation of Agency views on the Department of State's proposed draft legislation "To amend the Foreign Military Sales Act."

The subject of the proposed legislation is not within the purview of the Central Intelligence Agency's responsibilities and, therefore, we have no comments to offer.

Sincerely,

STAT



John M. Maury
Legislative Counsel

Distribution:

Orig. & 1 - Addressee
1 - Subject
1 - Chrono

OLC/LLM:rw (27 May 69)

On file OMB release instructions apply.

CRC, 9/24/2003

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON, D.C. 20503

MAY 22 1969

LEGISLATIVE REFERRAL MEMORANDUM

To: Legislative Liaison Officer
Department of Justice
Central Intelligence Agency ✓
Department of Commerce
Department of the Treasury
Agency for International Development
Export-Import Bank
Department of Defense

Subject: Department of State's proposed draft
legislation "To amend the Foreign
Military Sales Act"

Special circumstances require priority treatment and accordingly your views are requested by close of business, Friday, May 23, 1969. Views may be referred to Austin T. Ivory, code 103, extension 4604, or David Muchow, code 103, extension 4606, the legislative analyst in this Office. Please confirm in writing no later than Monday, May 26, 1969.

James L. C. Hyde for
Assistant Director for
Legislative Reference *dc*

Enclosure

Dear Mr. Chairman:

On January 17, 1969, Secretary Rusk sent to the President of the Senate draft legislation to amend the Foreign Military Sales Act of 1958. This draft has since been referred to your Committee.

As a result of the current Budget review just completed by the Administration, we continue to support the figures contained in the draft bill pending before your Committee. We have also been advised by the Bureau of the Budget that enactment of this legislation would be in accord with the program of the President.

In addition, we request your favorable consideration of new wording of Section 3(b) of the Act (the Pelly Amendment) ~~which has been discussed with Mr. Pelly and which he has accepted.~~ The changes we suggest read: (deletions from the present language are bracketed, additions are underlined)

"No [defense article or defense service shall be sold by the United States Government] sales, credits, or guaranties shall be made or extended under this Act to any country during a period of one year after [, after the date of enactment of this Act,] such country seizes, or takes into custody, or fines on

The Honorable

J.W. Fulbright, Chairman,
Committee on Foreign Relations,
United States Senate.

- 2 -

American fishing vessel [engaged] for engaging in fishing more than 12 miles from the coast of that country. The President may waive the provision of this subsection when he determines it to be important to the security of the United States or he receives reasonable assurances from the country involved that future violations will not occur, and promptly so reports to the Speaker of the House of Representatives and the Committee of Foreign Relations of the Senate. The provisions of this subsection shall not be applicable in any case governed by an international agreement to which the United States is a party."

For your convenience I attach a revised bill to amend the Foreign Military Sales Act.

Should you or members of your Committee have any questions about the changes proposed, please do not hesitate to raise them.

Sincerely,

Acting Secretary

Enclosure:

Revised draft bill.

J/PM:RJBarnard/ras
5/20/69

A BILL

To amend the Foreign Military Sales Act.

Be it enacted by the Senate and House of Representatives
of the United States of America in Congress assembled, That
the Foreign Military Sales Act (82 Stat. 1320) is amended as
follows:

SEC. 1. Section 3 is amended as follows:

In subsection (b) strike out the entire subsection and
substitute the following:

"No sales, credits or guaranties shall be made or extended under this Act to any country during a period of one year after such country seizes, or takes into custody, or fines an American fishing vessel for engaging in fishing more than 12 miles from the coast of that country. The President may waive the provision of this subsection when he determines it to be important to the security of the United States or he receives reasonable assurances from the country involved that future violations will not occur, and promptly so reports to the Speaker of the House of Representatives and the Committee

- 2 -

of Foreign Relations of the Senate. The provisions of this subsection shall not be applicable in any case governed by an international agreement to which the United States is a party."

SEC. 2. Section 31 is amended as follows:

(a) In subsection (a) strike out "\$296,000,000" and "1969" in the first sentence and substitute "\$275,000,000" and "1970", respectively.

(b) In subsection (b) strike out "1969" and "\$296,000,000" and substitute "1970" and "\$350,000,000", respectively.

SEC. 3. Section 33 is amended as follows:

(a) In subsection (a) strike out "the fiscal year 1969" and substitute "each fiscal year."

(b) In subsection (b) strike out "the fiscal year 1969" and substitute "each fiscal year."

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

WASHINGTON, D.C. 20503

MAY 22 1969

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The Honorable

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(b) In subsection (b) strike out "the fiscal year 1969" and substitute "each fiscal year."

91ST CONGRESS
1ST SESSION

S. 2640

IN THE SENATE OF THE UNITED STATES

JULY 16, 1969

Mr. FULBRIGHT (by request) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Foreign Military Sales Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Foreign Military Sales Act (82 Stat. 1320) is
4 amended as follows:

5 SECTION 1. Section 3 is amended as follows:

6 In subsection (b) strike out the entire subsection and
7 substitute the following:

8 “No sales, credits or guaranties shall be made or ex-
9 tended under this Act to any country during a period of one
10 year after such country seizes, or takes into custody, or fines
11 an American fishing vessel for engaging in fishing more than

1 twelve miles from the coast of that country. The President
2 may waive the provision of this subsection when he deter-
3 mines it to be important to the security of the United States
4 or he receives reasonable assurances from the country in-
5 volved that future violations will not occur, and promptly
6 so reports to the Speaker of the House of Representatives
7 and the Committee of Foreign Relations of the Senate. The
8 provisions of this subsection shall not be applicable in any
9 case governed by an international agreement to which the
10 United States is a party.”

11 SEC. 2. Section 31 is amended as follows:

12 (a) In subsection (a) strike out “\$296,000,000” and
13 “1969” in the first sentence and substitute “\$275,000,000”
14 and “1970”, respectively.

15 (b) In subsection (b) strike out “1969” and “\$296,-
16 000,000” and substitute “1970” and “\$350,000,000”, re-
17 spectively.

18 SEC. 3. Section 33 is amended as follows:

19 (a) In subsection (a) strike out “the fiscal year 1969”
20 and substitute “each fiscal year”.

21 (b) In subsection (b) strike out “the fiscal year 1969”
22 and substitute “each fiscal year”.

Approved For Release 2003/10/21 : CIA-RDP71B00364R000300170027-8

91ST CONGRESS
1ST SESSION

S. 2640

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To amend the Foreign Military Sales Act.

By Mr. FULBRIGHT

JULY 16, 1969

Read twice and referred to the Committee on
Foreign Relations

Approved For Release 2003/10/21 : CIA-RDP71B00364R000300170027-8

26 May 1969

STAT
DD/S () and DD/S&T () STAT

called to advise they have no comment on

Department of State's proposed draft bill
"To amend the Foreign Military Sales Act."

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Legislative Counsel

EXTENSION

NO.

DATE

23 May 1969

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

DD/P

26 May 26

✓

2.

C/WH

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4.

EA/DDP

26 May 26

5.

6.

OC

7.

Kyle -
Per our telecon this
afternoon

8.

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26 May 69

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15.

1. May we please have your views before close of business Monday on attached proposed amendment amending the Foreign Military Sales Act. For your information the Foreign Military Sales Act (P. L. 90-629) is also attached. The only substantive language change in the proposed amendment deals with the "Pelly Amendment" relating to seizure of U.S. fishing vessels and provides the President with greater leeway in this area.

2. Comments need not be in writing but at least a "no comment" report is requested.

Assistant Legislative Counsel

Att.

(to 2:
Any views?)
R

The agency's stand should be no comment, although we favor any moves to give the Presi-

the Congress (less)
be way to make
decisions in foreign
affairs - JH.

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Legislative Counsel

EXTENSION

NO.

DATE

23 May 1969

TO: (Officer designation, room number, and building)

DATE

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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2. Comments need not be in writing but at least a "no comment" report is requested.

Assistant Legislative Counsel

Att.

~~1-2~~ 1-3: We defer to the Department of State on this

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SUBJECT: (Optional)

FROM:

Legislative Counsel

EXTENSION

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DATE

23 May 1969

TO: (Officer designation, room number, and building)

DATE

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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D/O L - 1206 Ames

26 May 69

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Assistant Legislative Counsel

Att.

From 2 to 4:

No interest.

George E. Meloon
Director of Logistics